

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

EXXONMOBIL OIL CORPORATION,

Plaintiff,

v.

SUNG EEL CHANG AUTO INC.,
Defendant.

Civil Action No.: 11-3525 (CCC)

ORDER

This matter comes before the Court on ExxonMobil Oil Corporation's ("Plaintiff") motion to remand the pending action (Docket No. 7) and to dismiss the counterclaims of Sung Eel Chang Auto Inc. ("Defendant") (Docket No. 9). On October 14, 2011, Magistrate Judge Madeline Cox Arleo issued a Report and Recommendation that this action be remanded to the Superior Court of New Jersey, Union County, Landlord Tenant Division, that Plaintiff's request for an award of attorney's fees be denied, and that Plaintiff's motion to dismiss Defendant's counterclaims be dismissed without prejudice. No objections have been filed thereto. The Court has considered the submissions of the parties, and Judge Arleo's Report and Recommendation dated October 14, 2011, and for substantially the same reasons stated therein,

IT IS on this 2nd day of November, 2011

ORDERED that this Court adopts Judge Arleo's October 14, 2011 Report and Recommendation and thus remands this action to the Superior Court of New Jersey, Union County, Landlord Tenant Division, and dismisses Plaintiff's motion to dismiss Defendant's counterclaims without prejudice.

s/ Claire C. Cecchi
HON. CLAIRE C. CECCHI
United States District Judge